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APR 21 2005

**NEW JERSEY BOARD OF
CHIROPRACTIC EXAMINERS**

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ORIGINAL

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF CHIROPRACTIC EXAMINERS

IN THE MATTER OF THE APPLICATION
FOR LICENSURE OF:

Administrative Action

THOMAS T. HERCHAKOWSKI, D.C.

CONSENT ORDER

TO PRACTICE CHIROPRACTIC
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Chiropractic Examiners upon receipt of an application for a license to practice chiropractic from Thomas T. Herchakowski, D.C. Following a thorough review of Dr. Herchakowski's application and his disclosure therein of his history of arrests for driving under the influence, possession of a controlled dangerous substance, and disorderly persons offenses, which he attributes to the fact that he is a recovering alcoholic; and having heard his testimony before the Board regarding his actions in pursuing his recovery (*i.e.*, that he has completed a twenty-eight day inpatient treatment program, has been sober and has continued to attend AA since September 2003), the Board is persuaded that, with the terms and conditions agreed to in this order, granting a license to practice chiropractic to Dr. Herchakowski is consistent with the public health, safety, and welfare. The Board will not tolerate any deviation from the terms and conditions of this order.

The entry of this consent order does not limit the right of the Attorney General to pursue an application for relief before the Board, including an application for the temporary suspension of Dr.

Herchakowski's license pursuant to N.J.S.A. 45:1-22, should the Board or the Attorney General determine that Dr. Herchakowski has not complied with this order. The Board finds the restrictions set forth herein are adequately protective of the public health, safety and welfare.

THEREFORE, IT IS ON THIS 21 DAY OF APRIL, 2005

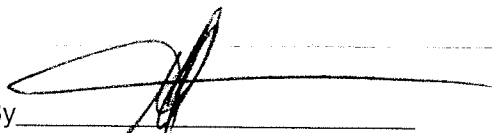
ORDERED AND AGREED that:

1. Prior to the issuance to him of a license to practice chiropractic in this state, Dr. Herchakowski shall provide to the Board at his own expense a report from the Physicians Health Program of the Medical Society of New Jersey which attests to his ongoing sobriety and makes recommendations for ongoing treatment and/or monitoring as deemed appropriate and necessary for the maintenance of that status.
2. Until further order of the Board, Dr. Herchakowski shall comply with the recommendations contained in the report for ongoing treatment and/or monitoring as deemed appropriate and necessary for the maintenance of his sobriety, and shall be responsible for ensuring that any person(s) providing therapeutic treatment, monitoring, or other support for controlling his alcoholism shall provide the Board with quarterly reports regarding his progress and status.
3. Dr. Herchakowski shall attend AA with the frequency recommended in the report, and shall provide evidence of his attendance directly to the Board. If Dr. Herchakowski has discontinued attendance at AA without obtaining the approval of the Board, he shall be deemed in violation of this Order.
4. Dr. Herchakowski shall abstain from the use of alcohol and controlled dangerous substances and shall not possess controlled dangerous substances, except pursuant to a *bona fide* prescription written by a physician or dentist for good medical or dental cause in his own treatment. In addition, Dr. Herchakowski shall advise any and all treating physicians and/or dentists of his history of substance abuse. Dr. Herchakowski shall cause any physician or dentist who prescribes medication which is a controlled dangerous substance to provide a written report to the Board together with patient records indicating the need for such medication. Such report

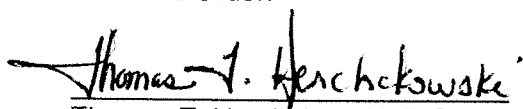
and patient records shall be provided to the Board no later than five (5) days subsequent to the prescription.

5. Dr. Herchakowski shall provide any and all releases to any and all parties who are participating in the therapeutic treatment, monitoring, or other support for controlling his alcoholism, as may be required in order that all reports, records, and other pertinent information may be provided directly to the Board in a timely manner. With regard to any requirement for submission of quarterly reports to the Board, the first quarter is deemed to have commenced on April 30, 2005.
6. Dr. Herchakowski shall be licensed to practice chiropractic in this State only under the direct supervision of a licensed chiropractor in good standing, for a period of one (1) year from the date of issuance of his license pursuant to this Order.
7. The aforesaid cooperating practitioner shall provide status reports regarding Dr. Herchakowski's performance directly to the Board on a quarterly basis for the entire period of supervision. Dr. Herchakowski shall notify the Board within fifteen (15) days of any change of employment, or change of cooperating practitioner.
8. Dr. Herchakowski shall appear before the Board at the end of the one year period and prior to his reinstatement to fully independent practice.

NEW JERSEY STATE BOARD OF
CHIROPRACTIC EXAMINERS

By 
Thomas Senatore, D.C.
Board President

I have read and understand the
within Consent Order and agree
to be bound by its terms. Consent
is hereby given to the Board to
enter this Order.


Thomas T. Herchakowski, D.C.